

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TIMBERLY MYGATT,

Plaintiff,

v.

MEDICREDIT, INC.,

Defendant.

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Case No. 4:15-cv-01947-RLW

PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW Plaintiff, Timberly Mygatt, and for her Motion for Partial Summary Judgment, states as follows:

1. Plaintiff incorporates by reference her Memorandum in Support and her Statement of Uncontroverted Facts, filed contemporaneously herewith.

2. Summary judgment is appropriate in Plaintiff’s favor on her claim under 15 U.S.C. § 1692e against Defendant Medcredit, Inc. (“Medcredit”).

3. The undisputed facts demonstrate that Medcredit violated Section 1692e(2)(A) within its December 24, 2014 and April 25, 2015 collections letters by misrepresenting the amount and character of the debt it was attempting to collect.

4. Plaintiff moves for summary judgment as to liability only. She reserves the right to have her damages in this case determined at trial.

WHEREFORE, Plaintiff respectfully requests that the Court accept Plaintiff’s Motion and Memorandum in Support for Partial Summary Judgment for filing, grant partial summary judgment in Plaintiff’s favor, and enter all other and further relief in Plaintiff’s favor that the Court deems proper.

Respectfully submitted,

BRODY & CORNWELL

/s/ Bryan E. Brody

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CERTIFICATE OF SERVICE

The undersigned attests that, on August 24, 2016, the foregoing document was served by operation of the Court's electronic filing system on the following counsel of record:

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